

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE NATURAL RESOURCES COMMITTEE

Date: Monday, March 23, 2009

Time: 3:00 pm

Place: Capitol

Room: 422

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 161

HB 161 _____

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 161 BC _____ HB 557 BCAA _____

HB 40 motions withdrawn _____ HJR BCAA _____

HB 375 BCAA _____

SB 370 DPAA _____

COMMENTS:



SEN. Kelly Gebhardt, Chairman

MONTANA STATE SENATE
Roll Call
NATURAL RESOURCES COMMITTEE

DATE: March 23, 2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR KELLY GEBHARDT, CHAIR	✓	
SENATOR DEBBY BARRETT, VICE CHAIR	✓	
SENATOR AUBYN CURTISS	✓	
SENATOR KEN HANSEN	✓	
SENATOR CHRISTINE KAUFMANN	.	E
SENATOR JIM KEANE	✓	
SENATOR GARY PERRY	✓	
SENATOR JIM PETERSON	✓	
SENATOR DONALD STEINBEISSER	✓	
SENATOR MITCH TROPILA	✓	
SENATOR DAVID WANZENRIED	✓	



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Natural Resources** recommend that **House Bill 161** (third reading copy -- blue) **be concurred in.**

Signed: *Kelly Gebhardt*
Senator Kelly Gebhardt, Chair

To be carried by Senator Carol Juneau

- END -

Committee Vote:

Yes 7, No 0

Fiscal Note Required ☐

HB0161001SC00188.sdr

JK



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Mr. President:

We, your committee on **Natural Resources** recommend that **House Bill 375** (third reading copy -- blue) **be concurred in as amended.**

Signed: *Kelly Gebhardt*
Senator Kelly Gebhardt, Chair

To be carried by Senator David Wanzenried

And, that such amendments read:

1. Page 2, line 14 through line 15.

Strike: "president of the senate"

Insert: "committee on committees"

- END -

Committee Vote:

Yes 8, No 3

Fiscal Note Required ☐

HB0375001SC01403.sdr

DR



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 370** (first reading copy -- white) **do pass as amended.**

Signed: *Kelly Gebhardt*
Senator Kelly Gebhardt, Chair

And, that such amendments read:

1. Title, page 1, line 5.

Strike: "EXEMPTING" through "FEE;"

2. Title, page 1, line 7.

Following: "15-38-113,"

Insert: "82-4-405, 82-4-424,"

3. Page 2, line 27.

Strike: "or"

4. Page 2, line 28.

Following: "Title"

Strike: "84"

Insert: "82"

5. Page 2, line 29.

Following: "82-4-437(2)"

Insert: "; or"

6. Page 2.

Following: line 29

Insert: "(4) a county, city, or town that holds a permit pursuant to Title 82, chapter 4, part 4"

Insert: "**Section 4.** Section 82-4-405, MCA, is amended to read:

"82-4-405. Inapplicability to government. The (1) Except as provided in subsection (2), the provisions of this part relating

Committee Vote:

Yes 11, No 0

Fiscal Note Required

SB0370001SC.sdr

OK

to fees or bonds do not apply to the federal government or its agencies, the state of Montana, counties, cities, or towns.

(2) Counties, cities, and towns are responsible for the fee required pursuant to 82-4-437(2)."

"Section 5. Section 82-4-424, MCA, is amended to read:

"82-4-424. Receipt and expenditure of funds -- disposition of penalties and other money. (1) The department may receive any federal funds, state funds, or any other funds for the reclamation of affected land. The department may cause the reclamation work to be done by its employees, by employees of other governmental agencies, by soil conservation districts, or through contracts with qualified persons.

(2) All penalties and other money paid under the provisions of this part, except annual fees, must be deposited in the environmental rehabilitation and response account in the state special revenue fund provided for in 75-1-110. Funds held by the department as bond or as a result of bond forfeiture that are no longer needed for reclamation and for which the department is not able to locate a surety or other person who owns the funds after diligent search must be deposited in the environmental rehabilitation and response account in the state special revenue fund."

Renumber: subsequent sections

7. Page 3, line 5.

Strike: "Except" through "each"

Insert: "Each"

8. Page 3.

Following: line 11

Insert: "NEW SECTION. **Section 9. Retroactive applicability.**

The exemption provided for in 15-38-113(4) applies retroactively, within the meaning of 1-2-109, to tax years beginning after December 31, 2000, for counties, cities, and towns."

- END -



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Mr. President:

We, your committee on **Natural Resources** recommend that **House Bill 557** (third reading copy -- blue) **be concurred in as amended.**

Signed: Kelly Gebhardt
Senator Kelly Gebhardt, Chair

To be carried by Senator Jonathan Windy Boy

And, that such amendments read:

1. Page 1, line 24.
Following: "storage"
Insert: ", "

2. Page 1, line 25.
Following: "PUMPING"
Insert: ", "
Strike: "60"
Insert: "40"

- END -

Committee Vote:

Yes 10, No 1

Fiscal Note Required ____

HB0557001SC02634.sdr

DR



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Natural Resources** recommend that **House Joint Resolution 4** (third reading copy -- blue) be concurred in as amended.

Signed: Kelly Gebhardt
Senator Kelly Gebhardt, Chair

To be carried by Senator Aubyn Curtiss

And, that such amendments read:

1. Title, page 1, line 6 through line 7.

Strike: "ADOPT" on line 6 through "REGARDING" on line 7

Insert: "INCREASE"

2. Page 1, line 21 through line 22.

Strike: "the" on line 21 through "enact" on line 22

3. Page 1, line 22.

Following: "legislation"

Insert: "is needed"

4. Page 1, line 25.

Strike: "would be required to"

Insert: "should"

5. Page 1, line 26.

Strike: "would"

Insert: "should"

6. Page 1, line 27.

Strike: "would"

Insert: "should"

7. Page 2, line 5 through line 6.

Committee Vote:

Yes 9, No 2

Fiscal Note Required ☐

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Strike: "adopting" on line 5 through "regarding" on line 6

Insert: "increasing"

- END -

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Resources Committee
because of other commitments. I desire to leave my proxy vote with:

SEN. TRAP. A

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

HB 161	X	
HB 40 Amendment	X	
capital		
HB 40 Amendment		X
odd #17		
MOTION WITHDRAWN		
HB 375	X	
HB 370 Amendment	X	
SB 370A Amendment	X	
HB 557 Amendment	X	
HB 557A Amendment	X	
HJ4 Amendment	X	
HJ4 AS AMENDED		X

BILL/AMENDMENT

AYE NO

Sen. _____

(Signature)

Date

3/23/09

MONTANA STATE SENATE

Visitors Register

Natural Resources Committee

Date 3/23

Bill No. HB 161 Sponsor(s) Rep. Nugent

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.